

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

LASHONDA SLATER, SLATER, ROCHELLE
ANTHONY, SHARON LEWIS,
AND MICHELLE REEVES, ON BEHALF
OF THEMSELVES AND ALL OTHER SIMILARLY
SITUATED

PLAINTIFFS

VS. CIVIL ACTION NO. 3:07CV119TSL-JCS

FAMILY DOLLAR STORES, INC.,
D/B/A FAMILY DOLLAR STORES, AND
JOHN DOES 1-10

DEFENDANTS

ORDER

This cause is before the court on the motion of defendant Family Dollar Stores, Inc. to transfer venue to the United States District Court for the Western District of North Carolina.

Having regarded defendant as having raised a new argument in its rebuttal submission, i.e., transfer based on the first-to-file rule, in effort to allow the plaintiffs to respond to the argument, on September 27, 2007, the court entered a show cause order, requiring plaintiffs to show cause, on or before October 8, 2007, why this case should not be transferred pursuant to the first-to-file rule. On October 12, 2007, the court granted plaintiff's first motion for an extension of time to respond to the show cause order, granting plaintiffs until October 18, 2007 to respond. However, as of this date, plaintiffs have not responded to the order. Accordingly, for the reasons set forth in the September 27, 2007 show cause order, the court concludes

that defendant's motion should be granted and thus, that this case should be transferred to the United States District Court for the Western District of North Carolina, Charlotte Division.

SO ORDERED, this the 26th day of October, 2007.

S/ James C. Sumner _____
UNITED STATES MAGISTRATE JUDGE